

In the United States District Court  
for the Eastern District of North Carolina

United States of America )  
 )  
 v. )  
 )  
 Viktor Potapov )

Criminal No.  
5:07-CR-254-FL

**FILED**  
JUN 10 2008  
MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT

**08CR 463**

Consent to Transfer of Case

for Plea and Sentence

(Under Rule 20)

**JUDGE SHADUR**

**MAGISTRATE JUDGE NOLAN**

I, Viktor Potapov, defendant, have been informed that an Indictment is pending against me in the above designated cause. I wish to plead guilty to the offense charged, to consent to the disposition of the case in the Northern District of Illinois in which I am under arrest and to waive trial in the above captioned District.

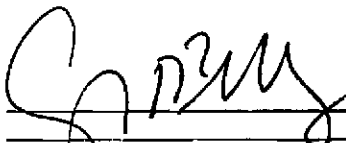
Dated: MAY 2, 2008 at Metropolitan Correctional Center Chicago, Illinois


(Defendant)

(Witness)

(Counsel for Defendant)

Approved

  
\_\_\_\_\_  
United States Attorney for the  
Eastern District of North Carolina

  
\_\_\_\_\_  
United States Attorney for the  
Northern District of Illinois

I certify the foregoing to be a true and correct copy of the original.  
Dennis P. Iavarone, Clerk  
United States District Court  
Eastern District of North Carolina  
By Donna Rudd  
Deputy Clerk

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
413 MIDDLE STREET  
NEW BERN, NC 28560

**FILED**  
JUN 10 2008  
MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT

DATE: June 2, 2008

DENNIS P. IAVARONE  
Clerk of Court

**08CR 463**

Clerk, U.S. District Court  
Attn: Criminal Section  
219 South Dearborn Street  
Chicago, IL 60604

**JUDGE SHADUR**

RE: U.S.A. vs. VIKTOR POTAPOV  
EDNC #5:07-CR-254-FL

**MAGISTRATE JUDGE NOLAN**

Dear Clerk:

Enclosed are certified copies of the following documents in the above referenced case that are being sent to your district for disposition pursuant to 18:3605 - Transfer of Jurisdiction:

1. Indictment
2. Consent to Transfer
3. Docket Sheet

Please acknowledge receipt of these documents on the enclosed copy of this letter.

Sincerely,

Dennis P. Iavarone, Clerk of Court

/s/ Donna Rudd  
Deputy Clerk

dr

I certify the foregoing to be a true and correct  
copy of the original.  
Dennis P. Iavarone, Clerk  
United States District Court  
Eastern District of North Carolina

USMJ Gates

By *Dennis P. Iavarone*  
Deputy Clerk

**U.S. District Court  
EASTERN DISTRICT OF NORTH CAROLINA (Western Division)  
CRIMINAL DOCKET FOR CASE #: 5:07-cr-00254-FL-1**

Case title: USA v. Potapov

Date Filed: 09/05/2007

Magistrate judge case number: 5:07-mj-01459-DAN

Date Terminated: 06/02/2008

Assigned to: Chief Judge Louise Wood  
Flanagan

08CR 463

**Defendant (1)****Viktor Potapov**

TERMINATED: 06/02/2008

represented by **Viktor Potapov**  
PRO SE

**Pending Counts**

None

**Disposition****JUDGE SHADUR****Highest Offense Level (Opening)**

None

**MAGISTRATE JUDGE NOLAN****Terminated Counts**

Entering into a marriage for the purpose  
of evading immigration laws (aiding  
and abetting same)

(1)

**Disposition**Transferred to the Northern District of  
Illinois

Document Visa Fraud (aiding and  
abetting same).

(2)

Transferred to the Northern District of  
Illinois**Highest Offense Level (Terminated)**

Felony

**Complaints**

Knowingly and willfully entered into a  
criminal conspiracy to commit marriage  
fraud and visa fraud in violation of Title

**Disposition**Transferred to the Northern District of  
Illinois

18 USC Section 371 and 1546(a) and  
Title 8, USC Section 1325(c)

**Plaintiff**

**USA**

represented by **John Bowler**

U. S. Attorney's Office

310 New Bern Ave.

Suite 800

Raleigh, NC 27601-1461






919-856-4530

Fax: 856-4487

Email: john.s.bowler@usdoj.gov

**LEAD ATTORNEY**

**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
07/24/2007	 <u>1</u>	COMPLAINT as to Viktor Potapov (1). (Deputy Clerk - SP, ) [5:07-mj-01459-DAN] (Entered: 07/25/2007)
09/05/2007	 <u>2</u>	INDICTMENT as to Viktor Potapov (1) count(s) 1, 2. (Deputy Clerk - AEB, ) (Entered: 09/06/2007)
09/05/2007	 <u>4</u>	Warrant Requested by USA as to Viktor Potapov (Deputy Clerk - AEB, ) (Entered: 09/06/2007)
12/13/2007	 <u>5</u>	Arrest Warrant Returned Executed on 12/05/07 as to Viktor Potapov. (Deputy Clerk - JJ, ) (Entered: 12/13/2007)
06/02/2008	 <u>6</u>	CONSENT TO TRANSFER JURISDICTION (Rule 20) to Northern District of Illinois Counts closed as to Viktor Potapov (1) Count 1,2. (Attachments: # <u>1</u> Cover Letter) Copy of cover letter, docket sheet, consent to transfer & indictment mailed to the Northern District of Illinois. (Deputy Clerk - DR, ) (Entered: 06/03/2008)

9/5/07  
MICHAEL W. DOBBINS, Clerk  
U.S. District Court  
District of NC

JB

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

NO. 5:07-cr-254-FL

**FILED**  
JUN 10 2008  
MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT

UNITED STATES OF AMERICA

V.

VIKTOR POTAPOV

INDICTMENT

**08 CR**

**08 CR 463**

**JUDGE SHADUR**

The Grand Jury Charges that:

**MAGISTRATE JUDGE NOLAN**

COUNT ONE

On or about May 6, 2003, in the Eastern District of North Carolina, the defendant, VIKTOR POTAPOV, a citizen of the Ukraine, did knowingly and unlawfully enter into marriage for the purpose of evading a provision of the immigration laws of the United States, that is, the defendant did marry a citizen of the United States for the purpose of adjusting his immigration status to permit his residency in the United States, and did aid and abet another in doing so, in violation of Title 8, United States Code, Section 1325 (c) and Title 18, United States Code, Section 2.

COUNT TWO

On or about September 26, 2003, in the Eastern District of North Carolina and elsewhere, the defendant, VIKTOR POTAPOV, did under penalty of perjury subscribe as true a false statement with respect to a material fact in an application, affidavit or other document required by the immigration laws or regulations prescribed thereunder, that is, in the course of making application for an

adjustment in immigration status, the defendant did falsely represent that he had entered into a non-fraudulent marriage with a United States citizen whereas in fact, as he well knew, his marriage to the American citizen had been entered into for the purpose of evading the immigration laws and regulations of the United States, and did aid and abet another in doing so, in violation of Title 18, United States Code, Sections 1546(a) and 2.

A TRUE BILL

DA



GEORGE E. B. HOLDING  
United States Attorney



JOHN S. BOWLER  
Assistant United States Attorney  
Criminal Division